

HIGHER EDUCATION TITLE 9A
EDUCATIONAL OPPORTUNITY FUND

Administrative Procedures and Policies

Operational Procedures for Academic Year and Summer Article III Student Grants And
Article IV Program Support Services Funds

Proposed Amendments: N.J.A.C. 9A:11-6.12 and 6.13.

Authorized By: Educational Opportunity Fund Board of Directors,

Sang Jin Kim, Chairperson

Authority: N.J.S.A. 18A:71-33

Calendar Reference: See Summary below for explanation of exception to calendar
requirement.

Proposal Number PRN: 2002 - 50

Submit written comments by April 5, 2002 to:

Dr. Jeanne Oswald

Administrative Practice Officer

Commission on Higher Education

P.O. Box 542

Trenton, NJ 08625-0542

The agency proposal follows:

Summary

The Educational Opportunity Fund (EOF) Program provides students from educationally disadvantaged backgrounds with financial aid and other support services while attending participating New Jersey colleges and universities. The program is a collaborative effort. Under the general supervision of the Commission on Higher Education, the EOF Board of Directors administers the program and the participating institutions directly serve the students.

Working with participating institutions, the EOF Board maintains a Statewide system to identify and recruit potential college students from backgrounds of historical poverty; develops eligibility criteria for EOF financial assistance based on students income and their potential for success in college; establishes procedures to determine the amount of the academic year grants according to the total financial need of each student; and advises on the development, organization, and coordination of a wide range of educational support and enrichment activities.

Amendments and a new rule in subchapter 2, Undergraduate EOF Financial Eligibility, were adopted in March 2000 to accommodate New Jersey's GEAR UP (Gaining Early Awareness and Readiness for Undergraduate Programs) state project. GEAR UP provides precollege students from disadvantaged backgrounds with early college awareness activities, improved academic support, and information on paying for college, as well as scholarships to those who successfully complete all program requirements. Adding the new rule, at N.J.A.C. 9A:11-2.11, necessitated recodifying the rest of the subchapter.

The rules on institutional operating procedures (subchapter 6) at N.J.A.C. 9A:11-6.12 and 6.13 reference two of the recodified rules for student financial eligibility, N.J.A.C. 9A:11-2.13 and 2.14, but the citations do not reflect the recodifications. Accordingly, amendments are proposed at N.J.A.C. 9A:11-6.12 and 6.13 to correct the references. Another proposed amendment at N.J.A.C. 9A:11-6.13 clarifies that the rule concerns both student grants and program support services.

This rulemaking is excepted from the required rulemaking calendar (N.J.A.C. 1:30-3.1) because a comment period of at least 60 days is provided (N.J.A.C. 1:30-3.3(a)5).

Social Impact

Two proposed amendments correct internal code citations, and one clarifies the scope of a rule. None of the proposed amendments has any impact on either student or institutional participants in the EOF program.

Economic Impact

Funds for EOF student grants are derived from State appropriations. During the 2000-01 academic year, 13,000 students participated in the program. The proposed amendments will not have an impact on the total number of students aided or total costs associated with the EOF program because the maximum enrollment is limited by the level of annual State appropriation.

Federal Standards Statement

The proposed amendments to N.J.A.C. 9A:11-6.12 and 6.13(a) are not subject to a Federal standards analysis under Executive Order No. 27 (1994) because EOF was established by New Jersey legislation, is wholly supported by State appropriations, and is not subject to any Federal requirement or standards.

Jobs Impact

Adopting the proposed amendments to N.J.A.C. 9A:11-6.12 and 6.13(a) will not result in the generation or loss of any jobs.

Agriculture Industry Impact

Adopting the proposed amendments will have no impact on the agriculture industry.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required because the proposed amendments do not impose requirements on small businesses as defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules pertain strictly to public and publicly funded independent colleges and universities in New Jersey, none of which qualify as a small business as that term is defined by the Act, and to students participating in the EOF program.

Full text of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

9A:11-6.12 Academic progress

Each institution shall establish a policy and maintain a process to monitor EOF students performance and inform students of their academic progress and standing. This

process shall include operational procedures to record and review student progress prior to the fall semester of each academic year, in accordance with N.J.A.C. 9A:11-[2.12] 2.13, and to provide student advisement through the counseling component of the program.

9A:11-6.13 Academic probation/dismissal of EOF students

(a) [Program] Article III student grants and EOF program support services may be discontinued for reasons outlined in N.J.A.C. 9A:11-[2.13] 2.14, Discontinuance of Article III student grants, and 9A:11-4.10, Discontinuance of Article IV program support services.

(b)-(c) (No change.)